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11 United States of America

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15 IN THE UNITED STATES DISTRICT COURT
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17 EASTERN DISTRICT OF CALIFORNIA

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19 UNITED STAES OF AMERICA,

20 Plaintiff,

21 v.

22 KAITLYN CARAOTTA,

23 Defendant.

24 Case No.: 2:24-cr-00080-JAM

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28 **STIPULATION AND ORDER TO
CONTINUE CHANGE OF PLEA AND
EXCLUDE TIME UNDER SPEEDY
TRIAL ACT**

29 Date: November 19, 2024
30 Time: 9:00 a.m.
31 Court: Hon. John A. Mendez

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33 The United States of America, by and through Special Assistant U.S. Attorney Matthew
34 De Moura, defendant KAITLYN CARAOTTA, by and through her counsel Johnny Griffin, III,
35 hereby agree and stipulate as follow:

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37 1. The defendant was arraigned on an Information on July 8, 2024, and waived
38 Indictment.
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40 2. Since July 8, 2024, Initial Appearance to the present date, the parties have been
41 reviewing the discovery and communicating with one another during this time period
42 to make sure the case continues to move forward towards resolution and/or trial.

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48 STIPULATION AND ORDER

- 1 3. The United States has additional discovery to provide the defense as the parties move
- 2 towards resolution and/or trial.
- 3 4. The discovery in this case is voluminous and involves multiple jurisdictions where
- 4 conduct is alleged to have occurred.
- 5 5. The proposed change of plea date on December 17, 2024, represents the earliest and
- 6 most convenient date that all counsel are available. This requested date takes into
- 7 account counsels' schedules, defense counsels' commitments to other clients, and
- 8 defense counsels' need for preparation and further investigation into this case.
- 9 6. As to the defendant, exclusion of time is particularly appropriate because she is not
- 10 detained pending trial and this would allow counsel sufficient time to review and
- 11 investigate the discovery as well as prepare for defense.

12 The parties further believe that time should be excluded, in that failure to grant the
13 requested case schedule would unreasonably deny the defendant and the government the
14 reasonable time necessary for effective preparation, taking into account the parties' due diligence
15 in prosecuting this case. 18 U.S.C. Section 3161(h)(7)(B)(iv). Based on the foregoing facts, the
16 parties request that the Court vacate the November 19, 2024 change of plea and reset the case
17 for a change of plea to be held on December 17, 2024, at 9:00 a.m. The parties further agree and
18 request that the Court exclude the time between November 19, 2024 and December 17, 2024,
19 from the computation of time in which trial must commence under the Speedy Trial Act, pursuant
20 to Local Code T-4. The parties agree that the interests of justice served by excluding the time
21 between November 19, 2024, and December 17, 2024, under the Speedy Trial Act, outweigh the
22 best interests of the public and the defendant in a speedy trial. The parties request that the Court
23 adopt the facts set forth herein and order time excluded from November 19, 2024, to and
24 including December 17, 2024, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), and Local
25 Code T-4, to allow defense counsel to investigate and prepare for trial. With this stipulation, 0
26 of 70 days have been used against the computation of time within which a trial must commence.

1 Dated: November 18, 2024

PHILLIP A. TALBERT
United States Attorney

3 By: /s/ MATTHEW DE MOURA
4 MATTHEW DE MOURA
5 Special Assistant United States
6 Attorney

7 Dated: November 18, 2024

8 /s/ JOHNNY L. GRIFFIN, III
9 JOHNNY L. GRIFFIN, III
Counsel for Defendant
Kaitlyn Caraotta

FINDINGS AND ORDER

The Court, having received, read, and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order. The Court **VACATES** the November 19, 2024 change of plea and **RESETS** the matter for a **change of plea hearing on December 17, 2024, at 9:00 a.m.** The Court also specifically finds that based on the facts set forth in the parties' stipulation, the failure to exclude the time between November 19, 2024, and December 17, 2024, would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court further finds that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. Time from November 19, 2024, to and including December 17, 2024, is excluded from the computation of time within which the trial of this case must commence under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), and Local Code T-4. With this stipulation, 0 of 70 days have been used against the computation of time within which a trial must commence.

IT IS SO ORDERED.

Dated: November 18, 2024

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE